



CITY OF SACRAMENTO

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CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814

TELEPHONE (916) 449-5604

MARTY VAN DUYN

PLANNING DIRECTOR

April 1, 1981

APPROVED
BY THE CITY COUNCIL

PFP
Cont 4-1481

APR 7 1981

OFFICE OF THE
CITY CLERK

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Ordinance Amending the Districts Established by the Comprehensive Zoning Ordinance No. 2550, Fourth Series, as Amended, by Removing Property Located One-Half Block Bounded by 35th and 36th Streets and 5th Avenue from the C-2 General Commercial Zone and Placing Same in the R-2B-R Garden Apartment Review Zone (P-9295)

SUMMARY

This item is presented at this time for approval of publication of title pursuant to City Charter, Section 38.

BACKGROUND

Prior to publication of an item in a local paper to meet legal advertising requirements, the City Council must first pass the item for publication. The City Clerk then transmits the title of the item to the paper for publication and for advertising the meeting date.

RECOMMENDATION

It is recommended that the item be passed for publication of title and continued to April 14, 1981.

Respectfully submitted,

Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION

WALTER J. SLIPE
CITY MANAGER

jm
Attachments
P-9295

April 7, 1981
District No. 5



P.9295



3.

ORDINANCE NO.

, FOURTH SERIES

ORDINANCE AMENDING THE DISTRICTS ESTABLISHED BY THE COMPREHENSIVE ZONING ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, BY REMOVING PROPERTY LOCATED ON ONE-HALF BLOCK BOUNDED BY 35TH & 36TH STS. & 5TH AVE.

FROM THE C-2 GENERAL COMMERCIAL ZONE
AND PLACING SAME IN THE R-2B-R GARDEN APARTMENT REVIEW
ZONE (FILE NO. P-9295) (APN: 013-143-09, 13 thru 30, & 37)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

The territory described in the attached exhibit(s) which is in the C-2 General Commercial zone(s), established by Ordinance No. 2550, Fourth Series, as amended, is hereby removed from said zone and placed in the R-2B-R Garden Apartment-Review zone(s).

This action rezoning the property described in the attached exhibit(s) is adopted subject to the following conditions and stipulations:

a. A material consideration in the decision of the Planning Commission to recommend and the City Council to approve rezoning of the applicant's property is the development plans and representations submitted by the applicant in support of this request. It is believed said plans and representations are an integral part of such proposal and should continue to be the development program for the property.

b. If an application for a building permit or other construction permit is filed for said parcel which is not in conformity with the proposed development plans and representations submitted by the applicant and as approved by the Planning Commission March 12, 1981, on file in the office of the Planning Department, or any provision or modification thereof as subsequently reviewed and approved by the Planning Commission, no such permit shall be issued, and the Planning Director shall report the matter to the Planning Commission as provided for in Ordinance No. 3201, Fourth Series.

SECTION 2.

The City Clerk of the City of Sacramento is hereby directed to amend the maps which are a part of said Ordinance No. 2550, Fourth Series, to conform to the provisions of this ordinance.

SECTION 3.

Rezoning of the property described in the attached exhibit(s) by the adoption of this ordinance shall be deemed to be in compliance with the procedures for the rezoning of property prescribed in Ordinance No. 2550, Fourth Series, as said procedures have been affected by recent court decisions.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

P-9295

In the matter of the decision of the
City Council on application P-9098,)
Special Permit to convert 140 exist-)
ing apartment units to 140 condomin-)
ium units in the R-2B Zone located)
at 100 Cadillac Drive)

NOTICE OF DECISION
AND
FINDINGS OF FACT

APR 7 1981

On March 24, 1981, the City Council indicated an intent to approve the Special Permit based on Findings of Fact due April 7, 1981.

Based on documentary and oral evidence submitted at the public hearing on February 17, 1981, the City Council approved the Special Permit subject to the following findings and conditions.

Findings:

1. The proposed conversion is consistent with the General Plan and Housing Element as required by Section 28-C-6(a)(i) of the Comprehensive Zoning Ordinance as indicated by the following.
 - a. The vacancy of this community plan area is below five percent but the applicant will provide mitigating measures to eliminate tenant displacement and any adverse impact on the rental housing stock. At least 50 percent of Phase I units will be purchased by existing tenants or individuals who were renting immediately prior to purchasing a Cadillac Drive condominium unit. These renters must come from within the City in community plan areas where the vacancy rate is less than five percent. To assist in providing ownership opportunities for first time home buyers, the applicant will provide favorable financing and tenant discounts on this project.
 - b. This project will meet the required development standards contained in the Comprehensive Zoning Ordinance and City Building Codes as conditioned on the Tentative Map.
 - c. The project will provide ownership opportunities to eligible tenants of low or moderate income.
2. This proposed conversion project is located in the Arden-Arcade/ East Sacramento Community Plan area where the rental vacancy rate is 4.4 percent which is below the required minimum for conversion to condominium. The applicant has successfully and effectively mitigated concern over tenant displacement and any adverse impact on the rental housing stock by providing purchase incentives; phasing the project to minimize the number of tenants who would be relocating at one time; relocation assistance in the form of monetary compensation; a list on comparable units and lifetime leases or extended leases to eligible tenants who are more severely disrupted by the conversion.

To mitigate the impact on the rental housing stock, the applicant will provide below market rate financing and tenant discount to provide ownership opportunities for first time home buyers. To ensure that the rental housing stock will not be impacted by this conversion, the applicant will sell 50 percent of the Phase I units to renters of community plan areas where the rental vacancy rate is below five percent.

3. Adequate comparable replacement housing will be made available to all tenants. The applicant will provide a one-year lease to all tenants after approval of the Tentative Map. Special leases will be provided for tenants experiencing hardships. The project will be phased to allow replacement housing for the tenants of this complex. The applicant will provide a list of comparable replacement units in the area.
4. The applicant has complied with all the required sections of the Comprehensive Zoning Ordinance pertaining to condominium conversions that relate to the application procedure, Subsection C-6(a)(iv).
5. The proposed conversion as conditioned will comply with all development standards as set forth in Section 28-C-6(a)(v).
 - a. Separate water and sewer or an approved equivalent will be provided.
 - b. Two-hour fire wall or sprinkler system and smoke alarms will be provided as conditioned.
 - c. Sound transmission levels will meet required standards as conditioned.

Conditions:

1. The Conditions, Covenants, and Restrictions will make provisions for services provided by the City to be paid by the association with a single billing for each service.
2. Each renter of record will be guaranteed occupancy of their unit for a period of one year after Tentative Map approval.
3. All tenants will be given a 60-day notice to vacate if they choose not to purchase.
4. Each tenant will be given a 105-day first right of refusal to purchase their unit.
5. All eligible tenants will receive a five percent discount off the initial market price.
6. All eligible tenants who wish to purchase will receive \$50 for each month of continued occupancy within a 36-month period ending when the units are placed on the market for sale.
7. All eligible tenants will be offered a three percent renovation discount.
8. Tenants who are not eligible will receive a 2½ percent purchase discount and a renovation allowance of three percent.
9. All discounts will apply to the down payment to the extent permitted by the lender or governmental regulations.
10. All tenants in residence at the time of final State approval, who are relocating to another complex, will receive \$50 in cash for utility hook-up.

11. Eligible elderly and handicapped tenants will be offered renewable lifetime leases. The lease shall be for a term of three years on the unit in which the tenant resides at the time the Special Permit is approved or a comparable unit within the project. The lease shall provide that the tenant shall have the right to renew the lease every three years for as long as the tenant wishes to remain in the unit. The rental rate for the first year of the original lease shall be the rental paid by the tenant on the date the notice of intent to convert was given; thereafter the rental may be increased annually in an amount not to exceed seven percent.
12. Tenants relocating to another complex will be given a moving allowance in an amount equal to two months' rent. This will be available at time of final approval from the State. Eligible tenants will have the option of choosing this assistance or the relocation assistance offered under Section 28-C-5(b).
13. The applicant will phase the project in two phases to minimize tenant displacement. Phase I will consist of 64 units and common recreational facilities and Phase II of 76 units.
14. The applicant will extend lease for tenants who are experiencing hardships due to the conversion on a case by case basis.
15. The applicant will provide proof that 50 percent of the purchasers in Phase I were renters immediately prior to purchasing a Cadillac Drive unit. These renters will come from community plan areas where the vacancy rate is less than five percent. This will be accomplished prior to issuance of the Certificate of Occupancy on Phase II.
16. Installation of additional lighting in sidewalk and parking areas.
17. All deficiencies noted in the structural pest report will be corrected.
18. All roofs will be repaired.
19. Boiler units will be replaced with two tank type units.
20. All carports will be reinforced to prevent structural failure.
21. All entry doors will be provided weatherstripping. The weatherstripping used will be a type approved by the Building Inspections Division.
22. The applicant will provide below market rate financing on this project.


MAYOR

ATTEST:


CITY CLERK DEPUTY

P-9098